GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA

UNSTARRED QUESTION NO:1951
ANSWERED ON:05.05.2016
Regulation of Fees of Advocates
Misra Shri Ajay (Teni)

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the Government is aware that a large number of advocates have been charging huge amount of fees from their clients including those belonging to poor sections of the society in the country;

(b) if so, the reaction of the Government thereto;

(c) whether the Government proposes to make any rules or guidelines to regulate the charges of such fees;

(d) if so, the details thereof; and

(e) if not, the reasons therefor and other measures taken/being taken by the Government in this regard?

Answer

ANSWER

MINISTER OF LAW AND JUSTICE
(SHRI D.V. SADANANDA GOWDA)

(a) to (e) : The Bar Council of India (BCI), a statutory body under the Advocates, Act, 1961 has informed that the standard of profession conduct and etiquettes for lawyers, including charging of fee, has been prescribed under the Chapter-II, Part-VI of the Bar Council of India Rules framed under the Advocates Act, 1961. The relevant rule in this regard is given below:-

"11. An advocate is bound to accept any brief in the Courts or tribunals or before any other authorities in or before which he proposes to practice at a fee consistent with his standing at the Bar and the nature of the case."

The BCI has further stated that Advocates charge fees from their clients as per their standing and seniority in the Bar. At present, there is no proposal pending with the Government/BCI to regulate the fee charged by the Advocates. However, since the charging of high fees relates to the standard of professional conduct and etiquettes of advocates, the representations received in this regard are forwarded to the Bar Council of India for necessary action as deemed appropriate.

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